

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

**TERRI PECHNER-JAMES and SONIA** )  
**FERNANDEZ,** )  
**Plaintiffs,** )

**v.** )

**C.A. No. 03-12499-MLW**

)  
**CITY OF REVERE, THOMAS AMBROSINO,** )  
**MAYOR, CITY OF REVERE POLICE** )  
**DEPARTMENT, TERRENCE REARDON,** )  
**CHIEF OF POLICE, BERNARD FOSTER,** )  
**SALVATORE SANTORO, ROY COLANNINO,** )  
**FREDERICK ROLAND, THOMAS DOHERTY,** )  
**JOHN NELSON, JAMES RUSSO, MICHAEL** )  
**MURPHY and STEVEN FORD,** )  
**Defendants,** )

**AFFIDAVIT OF WALTER H. PORR, JR., IN SUPPORT OF  
DEFENDANTS' MOTION FOR SUMMARY JUDGMENT OR.  
IN THE ALTERNATIVE, PARTIAL SUMMARY JUDGMENT**

I, Walter H. Porr, Jr., do hereby depose and state:

1. I am an Assistant City Attorney for the City of Revere and have been so employed since December 13, 2004. I am an attorney of record for Defendants, City of Revere, City of Revere Police Department, Mayor Thomas Ambrosino and Chief of Police Terence Reardon in this action.

2. On April 29, 2005, I called the Equal Employment Opportunity Commission (EEOC) to determine if the Plaintiffs in this matter had indeed filed charges of discrimination with the Commission. After confirming that they had, and that the hand written annotations on their Massachusetts Commission Against Discrimination charges reflected the EEOC case numbers, I then wrote a letter to the EEOC seeking to obtain copies of the files related to this case. A true and accurate copy of said letter is attached hereto as Exhibit "A".

3. On May 2, 2005, I received a letter from the EEOC dated April 29, 2005, informing that the Pechner and Fernandez files had been destroyed six months after they had been issued their right-to-sue letters. A true and accurate copy of said letter is attached hereto as Exhibit "B".

4. On June 2, 2005, I accessed the Internet via my office computer and went to the official web site of the National Football League, [www.nfl.com](http://www.nfl.com). From this web site, I then used the link to the official web site for the NFL Championship,

the Super Bowl, at [www.superbowl.com](http://www.superbowl.com). Once on the Super Bowl web site, I used the link entitled History and then the link related to Super Bowl Recaps. Upon accessing the Super Bowl Recaps page, I learned that Super Bowl XXXII was played on January 25, 1998. I then printed a copy of the Super Bowl Recaps web page, the original of which is attached hereto as Exhibit "C".

5. Attached hereto as Exhibit "D" is a true and legible copy of the February 28, 2001, Revere Police Department Report which is attached to the complaint as Exhibit "E".

Signed under the pains and penalties of perjury this \_\_\_\_\_ day of July, 2005.

Respectfully submitted,

/s/ Walter H. Porr, Jr. \_\_\_\_\_  
Walter H. Porr, Jr.

#### **CERTIFICATE OF SERVICE**

I hereby certify that I have this day electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system, and that copies will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF).

/s/ Daniel E. Doherty \_\_\_\_\_  
Daniel E. Doherty  
Assistant City Solicitor

Dated: January 23, 2008